

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KEVIN O. HAPRER,

Plaintiff,

v.

SUSAN NOVAK, et al.

Defendants.

ORDER

Case No. 21-cv-313-jdp

On May 27, 2021, I entered an order assessing plaintiff Kevin O. Harper an initial partial payment of \$0.93 for filing the above case, which was due by July 2, 2021. Dkt. 9. Plaintiff filed a motion to waive the initial partial filing fee letter explaining why he cannot pay the filing fee. Dkt. 10. From the motion plaintiff submitted, it appears that plaintiff presently has no means with which to pay the filing fee or to make an initial partial payment. Under these circumstances, the court will grant plaintiff's motion for leave to proceed without prepayment of the filing fee, but will not assess an initial partial filing fee. Even if this court ultimately determines that plaintiff's complaint cannot go forward, plaintiff is advised that the full \$350 filing fee for indigent litigants remains plaintiff's obligation. *See* 28 U.S.C. § 1915(b)(2).

Because plaintiff is an inmate, plaintiff is subject to the Prison Litigation Reform Act, which requires the court to screen the complaint to determine whether any portion is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary relief from a defendant who is immune from such relief.

ORDER

IT IS ORDERED that:

1. Plaintiff Kevin O. Harper's motion to waive the initial partial payment in the above case, dkt. 10, is GRANTED without prejudice.
2. No further action will be taken in this case until the court has screened the complaint required by the Prison Litigation Reform Act, 28 U.S.C. § 1915(e)(2). Once the screening process is complete, a separate order will be issued.

Entered this 1st day of July, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge